

REMARKS

At the outset, the Applicant appreciates the courtesies extended during the interview conducted on November 06, 2002. We trust that the Examiner will now find the application in condition for allowance and reconsideration is respectfully requested. Claims 1-3 have been amended in response to the Examiner's objections. A marked-up version of the amended claims is included in a section attached hereto. In the marked-up claims, the words between brackets are being removed, and those underlined are being added, which places the amended claims into the form given above. The attached section is captioned **VERSION WITH MARKINGS TO SHOW CHANGES MADE.**

In the Office Action, claims 1 and 2 of the present application were rejected under 35 USC 102(b) as being anticipated by May (U.S. Patent No. 5,893,645) or, in the alternative, under 35 USC 103(a) as being obvious over May. In response to the rejection, claim 1 has been amended to recite a method of forming a zipper bearing carrier web comprising the steps of: advancing a first continuous strip of carrier web; and attaching discrete sections of zipper profile at predetermined spaced intervals to said first continuous strip of carrier web to form a supply of carrier web with pre-positioned sections of zipper profile. As discussed on November 6, a feature of the claim is that the continuous strip of carrier web with spaced zipper profiles may be retained on a spool or another storage unit. As such, the continuous strip of carrier web with spaced zipper profiles may function as a ready supply for future attachment to the material used to form a bag or a package.

In contrast to the present application, the May reference discloses the closure arrangement 10 or the zipper being manufactured using conventional extrusion techniques. (Col. 7, lines 38-39). The base strips 16, 18 of the closure arrangement are attached directly to the top and bottom films 12, 14 used to make the package. (Col. 7, lines 16-18 and lines 62-67) It is evident that the reference covers the application of a continuous supply of the zipper from a die plate directly to the film used to make the package. As such, the cited reference neither teaches nor suggests attaching discrete sections of zipper profile at predetermined spaced intervals to a continuous strip of carrier web. As a result, the method of amended claim 1 of the present application would not be anticipated nor obvious to one skilled in the art

in view of the May reference. Amended claim 2, which depends on amended claim 1, also would not be anticipated nor obvious to one skilled in the art in view of the cited reference.

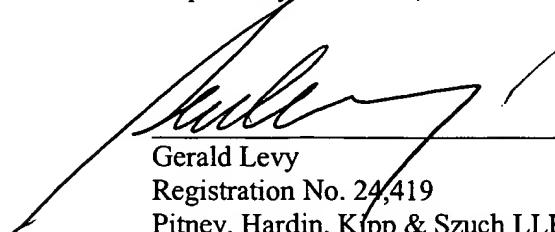
In the Office Action, claim 3 of the present application was rejected under 35 USC 103(a) as being unpatentable over May (U.S. Patent No. 5,893,645) in view of Hamm (U.S. Patent No. 6,411,987). Claim 1, upon which claim 3 depends, has been amended to recite a method of forming a zipper bearing carrier web comprising the steps of advancing a first continuous strip of carrier web; and attaching discrete sections of zipper profile at predetermined spaced intervals to said first continuous strip of carrier web to form a supply of carrier web with pre-positioned sections of zipper profile. As described, a feature of the claim is that the carrier web with spaced zipper profiles may be retained on a spool or other storage unit for future attachment to the material used to form a bag or a package.

As described above, the May reference discloses the application of a continuous supply of the zipper from a die plate directly to the film used to make the package. As such, the cited reference neither teaches nor suggests attaching discrete sections of zipper profile at predetermined spaced intervals to a continuous strip of carrier web.

In regard to the Hamm reference, the reference discloses a reclosable strip 18 which is provided in the region of the opening 52 of the bag. (Col. 4, line 66- col. 5 line 3) Similar to the May reference, the reclosable strip 18 is attached directly to films or bag walls used to make the package. (See Figure 3.2 and col. 5, lines 23-26) The difference with the May reference and a major difference with the present application is that the reclosable strip 18 of the Hamm reference is provided without identifying whether the reclosable strip is precut or attached from a continuous strip of zipper sections. As such, the Hamm reference neither teaches nor suggests attaching discrete sections of zipper profile at predetermined spaced intervals to a continuous strip of carrier web. As a result, the method of forming a zipper bearing carrier web of amended claim 1 of the present application would not be obvious to one skilled in the art in view of the May and Hamm references. Amended claim 3, which depends on amended claim 1, also would not be obvious to one skilled in the art in view of the cited references.

In view of the above, it is respectfully submitted that the claims as herein are patentably distinguishable over the prior art and the application is now believed to be in condition for allowance.

Respectfully submitted,



Gerald Levy  
Registration No. 24,419  
Pitney, Hardin, Kipp & Szuch LLP  
685 Third Avenue  
New York, New York 10017  
(212) 297-5800



**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

1. (Amended) A method of forming a zipper bearing carrier web comprising the steps of: advancing a first continuous strip of carrier web; and attaching discrete sections of zipper profile at predetermined spaced intervals to said first continuous strip of carrier web to form a supply of carrier web with prepositioned sections of zipper profile.
2. (Amended) A method in accordance with claim 1 comprising the further steps of advancing a second continuous strip of carrier web and positioning said discrete sections of zipper profile between said carrier webs.
3. (Amended) A method in accordance with claim 2 comprising the further steps of simultaneously attaching each discrete section of zipper profiles to [both] said first and second continuous strips of carrier webs.

**RECEIVED**

NOV 20 2002

TECHNOLOGY CENTER R3700